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OCT 09 2003

**FACSIMILE TRANSMISSION**

PETITIONS OFFICE

TO: Commissioner for Patents  
ATTENTION: Eugenia Jones  
FAX-NO.: (703)308-6916  
FROM: Henry M. Feiereisen  
APPL. NO. 10/643,209  
DOCKET NO: ZERNICKEL-2  
TYPE OF PAPER: REQUEST TO GRANT A FILING DATE OF AUGUST 15, 2003  
DATE: October 9, 2003  
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MESSAGE: DELIVER DIRECTLY TO EXAMINER

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office, Alexandria VA 22313-1450, on the date shown below.

Henry M Feiereisen  
Name of Representative

Signature

10-9-2003

Date

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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: ZERNICKEL-2

In re Application of:	)
	)
ALEXANDER ZERNICKEL & HORST DÖPPLING	)
	)
Appl. No.: 10/643,209	)
	)
For: LINEAR GUIDE	)

REQUEST TO GRANT A FILING DATE OF  
AUGUST 15, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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PETITIONS OFFICE

SIR:

This communication is in response to a telephone conversation with Eugenia Jones on October 8, 2003 and is intended to clarify the situation surrounding the power outage that affected New York City beginning on Wednesday, August 14, 2003 and lasting until Saturday, August 16, 2003, as it relates to the application papers filed by the undersigned on Monday, August 18, 2003.

The undersigned states herewith that an Express Mail envelope was prepared on Thursday, August 14, 2003, for subsequent depositing with the United States Postal services (USPS) facility, located in the Empire State Building. The Express Mail envelope contained necessary papers for filing an application, including the complete specification, a self-addressed post card and an Information Disclosure Statement. The transmittal letter accompanying the application papers was in the process of being printed out and contained a

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reference to the application date of August 14, 2003. At the time the office staff of the undersigned intended to print out the transmittal letter to accompany the application papers, the power outage occurred.

The USPS facility located in the Empire State Building was inaccessible at the time the power outage occurred so that the Express mail envelope, without the transmittal letter, could not have been deposited.

The USPS facility remained closed on Friday, August 15, 2003.

The USPS facility opened again on Monday, August 18, 2003.

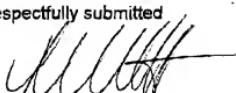
The office staff of the undersigned deposited the application papers, including the transmittal letter, with the USPS on Monday, August 18, 2003. A change was made in the transmittal letter to reflect the date of August 18, 2003. The transmittal letter made a notice that the application papers would have been deposited with the USPS on Friday, August 15, 2003, had it not been for the power outage. At that time we referred in the transmittal letter to the date of August 15, 2003, instead of August 14, 2003, since the undersigned made two unsuccessful attempts on August 15, 2003 to reach the USPS (as well as its offices) to deposit the application papers.

The undersigned submits that the application papers would have been deposited with the United States Postal Service on Friday August 15, 2003 but for the interruption or emergency in "Express Mail" service as a result of the power outage that affected New York City.

The Commissioner is respectfully requested to grant a filing date of August 15, 2003.

Respectfully submitted

By:

  
Henry M. Feiereisen  
Agent For Applicant  
Reg. No. 31,084

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